IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH AT HYDERABAD (Special Original Jurisdiction)

TUESDAY, THE FIFTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE G.CHANDRAIAH

WRIT PETITION NO : 2211 of 1994

Between:

Janab Mulla Dastagir saheb, s/o late Chinna Hussain Pasha Saheb Aged about 68 years, Occ: Saheb Muntakhab Mutawalli, Presiddent Adhoc

Managing Committee of Big and Small Mosque Podili, Prakasam District A.P.

..... PETITIONER

AND

Special Officer,

A.P.State Wakf Board,

Razack Manzil, Opp: Public Gardens,

Nampally, Hyderabad.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to direct the respondent to take proper legal steps to recover the possession of the Wakf land in Sy.No.285, situated at Podili Town, Prakasam District from the land grabbers possession and pass such other order or orders.

Counsel for the Petitioner:MR.KHADER ALI KHAN

Counsel for the Respondent No.: MR.S.M.SUBHANI (SC FOR AP WAKF BOARD)

The Court made the following :

O R D E R

This writ petition is filed for a writ of Mandamus to direct the respondent to take appropriate action for recovery of the possession

against the encroachers of the wakf land in Sy.No.285, situated at Podili, Prakasam District.

2. In response to the above allegation of illegal encroachments of the wakf property, the respondent has filed a counter affidavit stating that when the encroachments have come to the notice of the respondent, action has been initiated under Section 54 of the Wakf Act, 1995 and finally the matter is pending before the Revenue Divisional Officer, Prakasam District for taking action under Section 55 of the said Act.

3. In view of the fact that respondent had already initiated necessary action provided under the statute, for eviction of the encroachers, no further orders are necessary and as such the writ petition is closed. No costs.

4. However, the closure of the writ petition does not come in the way of the authorities in taking further action till the encroachers are evicted and the possession is taken in accordance with law.

05.07.2005

AVS

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

Special Officer,

A.P.State Wakf Board,

Razack Manzil, Opp: Public Gardens,

Nampally, Hyderabad.

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